

Patent No. 6,820,672

Request for Cert. of Correction dated April 5, 2005

Attorney Docket No. 0702-001034

09,555,548

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JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,820,672 Confirmation No. 8364  
Inventor : Antonius Adrianus Arnoldus SMITS  
Issued : November 23, 2004  
Title : Device And A Method For Affixing Objects To Products  
Examiner : Jessica L. Rossi  
Customer No. : 28289

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT  
FOR PTO MISTAKE (37 C.F.R. 1.322(a))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Decision and Certificate of Correction Branch  
Patent Issue Division

Sir:

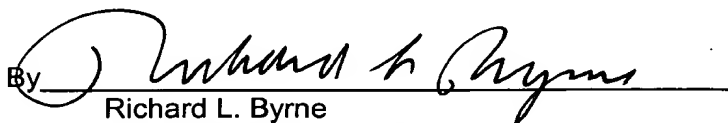
In accordance with 35 U.S.C. §254, we attach hereto Form PTO/SB/44 and a copy of proof of PTO error(s) and request that a Certificate of Correction be issued in the above-identified patent. The following errors appear in the patent as printed:

Column 6, Line 17, Claim 1, "if tangentially approaches" should read  
-- it tangentially approaches --.

(See Amendment of 06/16/2004, page 2, Claim 19, line 13. Claim 19 issued as Claim 1.) Then see the Examiner's Amendment (which corrected our mistake) accompanying the Notice of Allowance dated 08/25/2004).

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON  
ORKIN & HANSON, P.C.

By 

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## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6,820,672  
DATED : November 23, 2004  
INVENTOR(S) : Smits

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 6, Line 17, Claim 1, "if tangentially approaches" should read  
-- it tangentially approaches --

{W0179770.1}

MAILING ADDRESS OF SENDER:

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PATENT NO. 6,820,672

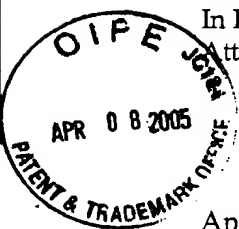
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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Appl. No. 09/555,548  
Amendment dated June 16, 2004  
In Reply to Office Action of March 16, 2004  
Attorney Docket No. 702-001034



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/555,548  
Applicant : Antonius A.A. SMITS  
Title : **DEVICE AND A METHOD FOR  
AFFIXING OBJECTS TO PRODUCTS**  
Filed : August 1, 2000  
Art Unit : 1733  
Examiner : Jessica Rossi  
Customer Number : 28289  
Confirmation Number : 8364

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action dated March 16, 2004 please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 6 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 16, 2004.

Jennifer L. Halkias

(Typed name of person mailing paper.)

Jennifer L. Halkias 06-16-04  
Signature Date

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listing of claims in the application.

#### Listing of Claims

Claims 1-18 (cancelled)

Claim ~~19~~ <sup>(1)</sup> (currently amended)

5 A device for affixing objects to products moving in a row, the device comprising a holder for a stock of the objects, ~~wherein each object may have a different thickness,~~ and affixing means further comprising at least one suction nozzle on a carrier for removing one of the objects from the holder and moving the object, wherein the affixing means is capable of rotary movement about an axis of rotation ~~and affixing the object to the moving product during the rotary movement of the affixing means,~~ wherein the affixing means is further capable of being driven intermittently between rotation and standstill, wherein during standstill of the affixing means the carrier is positioned in alignment with an object in a holder and is moveable in a radial direction with respect to  
10 the axis of rotation for attaching the at least one suction nozzle to the object and for removing the object from the holder, ~~and~~ wherein the at least one suction nozzle of the carrier directly faces the object within the holder and wherein the device further comprises means for moving said products along a path, said path extending such that <sup>it</sup> tangentially approaches the rotational path of the affixing means at a position substantially centrally between the position  
15 of two carriers during standstill, such that the affixing means is capable of affixing the object to a moving product during rotary movement of the affixing means, and means for synchronizing the movement of the affixing means and the products, such that during rotary movement of the affixing means the speed of movement of the object is substantially equal to the speed of movement of the product.

Claim ~~20~~ <sup>(2)</sup> (previously presented)

The device according to claim ~~19~~ <sup>1</sup>, wherein the affixing means includes more than one carrier, wherein the carriers are

# UNITED STATES PATENT AND TRADEMARK OFFICE

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## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

08/25/2004

RICHARD L BYRNE  
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PITTSBURGH, PA 15219-1818

AUG 27 2004

EXAMINER

ROSSI, JESSICA

ART UNIT

PAPER NUMBER

1733

DATE MAILED: 08/25/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/555,548	08/01/2000	ANTONIUS ADRIANUS ARNOLDUS SMITS	702-001034	8364

TITLE OF INVENTION: DEVICE AND A METHOD FOR AFFIXING OBJECTS TO PRODUCTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	11/26/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

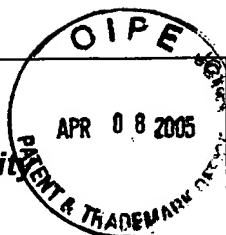
A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

**Notice of Allowability**

Application No.

09/555,548

Applicant(s)

SMITS, ANTONIUS ADRIANUS  
ARNOLDUS

Examiner

Jessica L. Rossi

Art Unit

1733

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment, 6/18/04.
2. ☒ The allowed claim(s) is/are 19-21,23-29,31-33 and 37.
3. ☒ The drawings filed on 01 June 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>08202004</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.   |

Art Unit: 1733

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Byrne on 8/20/04.

2. The application has been amended as follows:

Claim 19, line 13: "if" was deleted before "tangentially" and --it-- was inserted.

3. The following is an examiner's statement of **reasons for allowance**:

The present amendment to claim 19 has distinguished the claimed invention from the prior art of record.

Regarding Lubersky (US 2887022; of record), which was applied in the previous office action dated 3/16/04, please refer to p. 5-6 of Applicant's arguments.

Regarding Gordon (US 5256365; of record), which was applied in the previous office action dated 3/16/04, suction nozzles 66 on carriers 30/32 comprising **rotary affixing means** 22/24 remove labels (objects) from stationary holder 46 while rotation of the affixing means is stopped (column 4, lines 14-35). Then the affixing means resumes rotation to transfer the labels to **non-rotating transfer heads** 110/112 at transfer positions 42/48 (column 5, lines 37-45). Then the transfer heads 110/112 place the labels in molds 18 (products), which are rotated around a circular path past the transfer heads 110/112 (Figures 1-2; column 5, lines 60-63; column 7, lines 31-37).